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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

KEITH THOMAS, RICHARD HAYES, HERB
SMITH, and OKLAHOMA POLICE PENSION
& RETIREMENT SYSTEM,

Plaintiffs,

v.

MAGNACHIP SEMICONDUCTOR CORP.
SANG PARK, TAE YOUNG HWANG,
MARGARET SAKAI, R. DOUGLAS NORBY,
ILBOK LEE, NADER TAVAKOLI, RANDAL
KLEIN, MICHAEL ELKINS, AVENUE
CAPITAL MANAGEMENT II, L.P.,
BARCLAYS CAPITAL INC., DEUTSCHE
BANK SECURITIES INC., CITIGROUP
GLOBAL MARKETS INC., UBS
SECURITIES LLC and NEEDHAM &
COMPANY, LLC,

Defendants.

Case No.: 3:14-cv-01160-JST

CLASS ACTION

Judge: Hon. Jon S. Tigar

**STIPULATION AND ~~PROPOSED~~
ORDER PURSUANT TO LOCAL RULE
6-2**

Avenue Capital Management II, LP (“Avenue Capital”) and Plaintiffs (together with Avenue Capital, the “Parties”), through their undersigned counsel, hereby submit this Stipulation and Proposed Order regarding discovery deadlines:

WHEREAS, the scheduling order entered by this Court on April 13, 2016 (ECF No. 223) provided that expert disclosures shall be made on or before February 3, 2017, expert rebuttal reports shall be served on or before March 17, 2017, expert reply reports shall be served on or before April 14, 2017, expert discovery shall be complete by May 31, 2017, dispositive motions shall be filed by June 30, 2017, pretrial statements shall be filed by October 17, 2017, a pretrial conference shall take place on October 27, 2017, and a jury trial shall take place beginning December 4, 2017;

WHEREAS, by order dated February 13, 2017, the Court extended the deadline for serving expert rebuttal reports from March 17, 2017 to April 14, 2017, and extended the deadline for serving expert reply reports from April 14, 2017 to May 12, 2017;

WHEREAS, the parties have not previously requested modification of any other deadlines. Neither party, however, waives the right to petition the Court to extend any other deadline if

1 circumstances warrant;

2 WHEREAS, the Court has not set a deadline for fact discovery, and the parties wish to set
3 such deadline to promote the efficient conduct of this case;

4 WHEREAS, the parties have been diligently pursuing discovery and request additional time
5 to complete depositions; and

6 WHEREAS, the undersigned parties believe that the circumstances described above and in
7 the accompanying joint letter warrant good cause to make the modifications to the schedule
8 requested herein.

9 NOW, THEREFORE, the undersigned hereby stipulate, subject to Court approval, that:

- 10 1. The deadline for completing fact discovery shall be June 30, 2017; provided however
11 that (i) the Parties may mutually agree to limited exceptions to this deadline without
12 seeking Court approval*, and (ii) this deadline shall not apply to discovery solely for the
13 purpose of authenticating documents for use at trial;
- 14 2. The deadline for serving expert rebuttal reports is extended from April 14, 2017 to July
15 7, 2017; provided however that due to Avenue Capital's pending motion to strike
16 ("Motion to Strike") the report of William Purcell ("Purcell Report"), Avenue Capital's
17 deadline to serve rebuttal to the Purcell Report shall be the later of (i) July 7, 2017, and
18 (ii) 30 days after the Court resolves the Motion to Strike;
- 19 3. The deadline for serving expert reply reports is extended from May 12, 2017 to August
20 4, 2017; provided however that Plaintiffs' deadline to serve a reply regarding the Purcell
21 Report shall be the later of (i) August 4, 2017, and (ii) 60 days after the Court resolves
22 the Motion to Strike;
- 23 4. The deadline for completing expert discovery is extended from May 31, 2017 to
24 September 1, 2017; provided however that the deadline to complete expert discovery
25 with respect to William Purcell shall be the later of (i) September 1, 2017, and (ii) 90
26 days after the Court resolves the Motion to Strike;
- 27 5. The deadline for filing dispositive motions is extended from June 30, 2017 to October 4,
28 2017;

* Provided that such exceptions shall not be the basis of extending any other deadlines in the case.

6. The deadline for filing pretrial statements is extended from October 17, 2017 to March 16, 2018;

7. The pretrial conference scheduled on October 27, 2017 is continued to March 23, 2018 or as soon as possible thereafter;

8. The jury trial scheduled to begin on December 4, 2017 is continued to April 23, 2018 or as soon as possible thereafter;

Dated: March 22, 2017

IT IS SO STIPULATED:

**AKIN GUMP STRAUSS HAUER
& FELD LLP**

POMERANTZ LLP

/s/ Neal R. Marder

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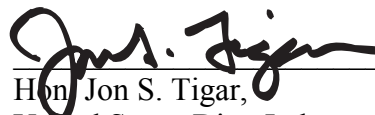
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Liaison Counsel

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 22, 2017



Hon. Jon S. Tigar,
United States Dist. Judge